

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

**MOREHOUSE ENTERPRISES LLC d/b/a** )  
**BRIDGE CITY ORDINANCE *et al.*,** )

**Case No. 3:22-cv-00116-PDW-ARS**

**Plaintiffs,** )

## V.

**BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS AND EXPLOSIVES *et al.*,**

**Defendants.** )

## **DEFENDANTS' MOTION FOR EXTENSION OF PAGE LIMITS**

In accordance with Local Rule 7.1(C), Defendants respectfully move the Court for leave to extend the page limitations for their opposition brief to Plaintiffs' Motion for Preliminary and/or Permanent Injunction, ECF No. 14 ("Motion"). Defendants seek an extension of 20 additional pages for their response brief, which will not exceed 40 pages in length. In support of this motion, Defendants respectfully state as follows:

1. Additional pages are necessary in order to respond fully to Plaintiffs' arguments, as well as to provide the Court with statutory and regulatory background sections explaining the purpose and relevant provisions of the statute being interpreted by the Rule challenged in this action, and to supply an explanatory summary of the Rule and the definitions of key terms used by the Rule.

2. As Plaintiffs have acknowledged, this case challenges a “voluminous” Final Rule and involves “complex issues of federal law.” Pls.’ Mot. for Oral Arg. at 2, ECF No. 25. These factors also support Defendants’ request for additional pages.

3. Defendants previously consented to Plaintiffs' request for leave to file a 27-page Motion (without seeing the Motion) on the condition that Defendants be permitted to file an

opposition of similar length. Upon review of the Motion, it is clear that additional pages will be necessary to respond adequately. Although the Motion is 27 pages in length, it nevertheless purports to incorporate by reference numerous paragraphs from Plaintiffs' 154-page complaint without restating those paragraphs in the Motion. *See, e.g.*, Motion at 5 (purporting to incorporate paragraphs 19, 92, and 99-112 of the complaint), 10, (purporting to incorporate paragraphs 253-54, 256-59, 262-66, 269, 343-49, 353-64), 18 (purporting to incorporate paragraphs 230-49, 418-43, and 509-19), 19 (purporting to incorporate paragraphs 281-82, 291-482-88, 504-69).

4. Defendants will nevertheless attempt to respond to Plaintiffs' arguments succinctly to the degree necessary to provide the Court with helpful briefing. To do so, Defendants respectfully request leave to exceed the Court's page limitations.

5. Plaintiffs have notified Defendants that Plaintiffs consent to an extension of up to seven additional pages, but do not take a position on this motion for a larger extension than that, and instead defer to the discretion of the Court whether to grant or deny Defendants' request for additional pages beyond 27 pages (the length of the Motion).

Accordingly, Defendants respectfully request that the Court grant their motion for extension of page limits.

Dated: August 1, 2022

Respectfully submitted,

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